

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing: 12 April 2001 (12.04.01)	
International application No.: PCT/US00/27331	Applicant's or agent's file reference: CM2416/JB
International filing date: 04 October 2000 (04.10.00)	Priority date: 05 October 1999 (05.10.99)
Applicant: MCGOFF, Matthew, Grady et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:
05 February 2001 (05.02.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer: J. Zahra Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

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REC'D 11 JAN 2002

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

12

Applicant's or agent's file reference CM2416/JB	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/27331	International filing date (day/month/year) 04/10/2000	Priority date (day/month/year) 05/10/1999
International Patent Classification (IPC) or national classification and IPC B29C44/34		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 05/02/2001	Date of completion of this report 08.01.2002
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Grenier, A Telephone No. +49 89 2399 2983 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/27331

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-32 as originally filed

Claims, No.:

1-15 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/27331

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	2-14
	No:	Claims	1,15
Inventive step (IS)	Yes:	Claims	14
	No:	Claims	2-13
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations
see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. A process as defined in claim 1 is known from GB-A-971 851 (D1), directed to the extrusion of a viscous mixture containing clay and ash, see page 3 lines 38-40 and 73-78, and figs. 1 and 12.

Although the extruded mixture is compacted and partly de-aerated, the product obtained is not completely de-aerated (see page 3 lines 114-118) and is therefore a foam component as defined in present claim 1.

It is pointed out that the expression "rotating extrusion plate" in claim 1 covers a wide range of shapes, as explained in the description (see page 6 paragraphs 3 and 4), and therefore includes the drum 30 disclosed in D1.

- 1.1. Consequently, the process according to claim 1 lacks novelty.

2. No indication could be found in the application as to specific technical effects provided by the additional features defined in dependent claims 2 to 13 in combination with the process according to claim 1.

Additionally, these features seem to be the direct result of obvious trials the skilled man will carry out in view of optimizing the process known from D1.

- 2.1. Consequently, the subject-matter of the dependent process claims does not appear to involve an inventive step.

3. The product according to D1 is used for various purposes in the building trade and therefore does not appear to be suitable for the use defined in the independent use claim 14, and D1 is the only available prior art document anticipating the process to which claim 14 refers.

Consequently, the use of the process according to present claims 1 to 13 to prepare a foam component suitable for the various uses defined in claim 14 is

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/27331

neither known nor obviously derivable from the available prior art.

3.1. Therefore, independent claim 14 fulfils the requirements of novelty and inventive step according to Article 33 (1),(2),(3) PCT.

4. Independent claim 15 is directed to a foam component obtainable by the process according to present claims 1 to 13.

However, such a foam component does not appear to distinguish from foam beads obtained in the usual manner, i.e. by extruding, pelletizing (by cutting extruded strands) and foaming a kneaded foamable plastic composition.

The document US-A-3 887 614 (D2) discloses such foam pellets suitable for use in cleaning compositions (claim 1 of D2).

4.1. Consequently, the product according to claim 15 lacks novelty.

5. All the claims clearly fulfil the requirement of industrial application according to Article 33 (1),(4) PCT.

6. In addition, it is pointed out that the document D2 should have been identified in the description and the relevant background art disclosed therein should have been briefly discussed. Thus, the application does not meet the requirements of Rule 5.1(a)(ii) PCT.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/27331

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B29C44/34

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B29C B29B B01J

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 972 851 A (WRIGHT JOHN W R) page 3, line 30 -page 4, line 10; figures 2,4,5,12	1-13,15
X	----- DATABASE WPI Section Ch, Week 199248 Derwent Publications Ltd., London, GB; Class C04, AN 1992-396839 XP002156450 & SU 1 706 688 A (CATALYSTS DES TECHN BUR) , 23 January 1992 (1992-01-23) abstract	14
A	----- US 3 887 614 A (ANDO SUSUMU ET AL) 3 June 1975 (1975-06-03) claim 1	

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

* & * document member of the same patent family

Date of the actual completion of the international search

3 January 2001

Date of mailing of the international search report

15/01/2001

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Pipping, L

INTERNATIONAL SEARCH REPORT

information on patent family members

Inte. onal Application No

PCT/US 00/27331

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
GB 972851 A		NONE	
SU 1706688 A	23-01-1992	NONE	
US 3887614 A	03-06-1975	JP 48035329 B DE 2059605 A	27-10-1973 16-06-1971

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference CM2416/JB	FOR FURTHER ACTION		see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US 00/ 27331	International filing date (day/month/year) 04/10/2000	(Earliest) Priority Date (day/month/year) 05/10/1999	
Applicant THE PROCTER & GAMBLE COMPANY			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

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☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 00/27331

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 B29C44/34

According to International Patent Classification (IPC) or to both national classification and IPC

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EPO-Internal, WPI Data, PAJ

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X	GB 972 851 A (WRIGHT JOHN W R) page 3, line 30 -page 4, line 10; figures 2,4,5,12 ---	1-13,15
X	DATABASE WPI Section Ch, Week 199248 Derwent Publications Ltd., London, GB; Class C04, AN 1992-396839 XP002156450 & SU 1 706 688 A (CATALYSTS DES TECHN BUR) , 23 January 1992 (1992-01-23) abstract ----	14
A	US 3 887 614 A (ANDO SUSUMU ET AL) 3 June 1975 (1975-06-03) claim 1 -----	

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☒ Patent family members are listed in annex.

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- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

3 January 2001

Date of mailing of the international search report

15/01/2001

Name and mailing address of the ISA

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Fax: (+31-70) 340-3016

Authorized officer

Pipping, L

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/27331

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
GB 972851 A		NONE	
SU 1706688 A	23-01-1992	NONE	
US 3887614 A	03-06-1975	JP 48035329 B DE 2059605 A	27-10-1973 16-06-1971

XP-002156450

AN - 1992-396839 [48]

AP - SU19894690365 19890511

CPY - CATA-R

DC - C04 J04

FS - CPI

IC - B01J2/14

IN - BAGAEV G I; BALASHOV V A; DANILOV I A

MC - C11-C05 C12-M11D J04-A05

M1 - [01] M423 M424 M740 M781 M903 N104 N164 Q435; 9240-7

PA - (CATA-R) CATALYSTS DES TECHN BUR

PN - SU1706688 A1 19920123 DW199248 B01J2/14 003pp

PR - SU19894690365 19890511

XA - C1992-176258

XIC - B01J-002/14

AB - SU1706688 The machinery contains extruder (1), dynamic collector-damper (3) with disc-plate (2), roller (4) with disc-plate (5), and output averager (6). Outlet windows are with high-speed flaps (7) driven by pneumo-cylinders (8). Blades (9,11) and pockets (10) are for the cleaning of working surfaces and collection of side prods. The collector-damper and roller sections have independent regulated drives (13). Cylindrical granules (12) from extruder are continuously served into plate (2) rotating at frequency necessary for the centrifugal force tension to give granules spherical form. The action of collector-damper increases the quality of spherical granules formed from paste.

- USE/ADVANTAGE - In chemical, pharmaceutical, and food-processing industries; in particular in the granulation of catalysts, and prodn. of mineral fertilisers; increased productivity, and reduced capital expenditure. Bul.3/23.1.92

- (Dwg.1/1)

DRL - 9240-7

IW - MACHINE PRODUCE SPHERE GRANULE PASTE EXTRUDE PELLET FORM DISC PLATE ROTATING FIX CYLINDER BODY

IKW - MACHINE PRODUCE SPHERE GRANULE PASTE EXTRUDE PELLET FORM DISC PLATE ROTATING FIX CYLINDER BODY

INW - BAGAEV G I; BALASHOV V A; DANILOV I A

NC - 001

OPD - 1989-05-11

ORD - 1992-01-23

PAW - (CATA-R) CATALYSTS DES TECHN BUR

TI - Machinery for prodn. of spherical granules from pastes - has extruder and pelletiser in form of disc plates rotating in fixed cylindrical body